

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL CORRESPONDENCE  
Finance Department**

**TO:** Mayor and City Council

**FROM:** Ben Gorzell Jr., CPA, Public Utilities Supervisor/Assistant Director of Finance

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES TO:** J. Rolando Bono, Deputy City Manager; Melissa Byrne Vossmer, Assistant City Manager; Erik J. Walsh, Assistant to the City Manager; Andrew Martin, City Attorney; Milo D. Nitschke, Finance Director; Albert Ortiz, Chief of Police; Robert Ojeda, Fire Chief; file

**SUBJECT:** Amendment to the Administrative Services Agreement with the San Antonio Fire and Police Pension Fund Board of Trustees

**DATE:** February 6, 2003

**SUMMARY AND RECOMMENDATION**

This ordinance authorizes an amendment to the Administrative Services Agreement with the San Antonio Fire and Police Pension Fund Board of Trustees ("Fund") related to administrative leave for active fire and police members serving on the Funds' Board of Trustees; authorizes and approves the execution of an amendment to the Administrative Services Agreement; and provides that all other terms and conditions shall remain the same.

Staff recommends approval of this Ordinance.

**BACKGROUND**

The San Antonio Fire and Police Pension Fund is a statutory trust which provides pension benefits for San Antonio Fire Fighters, Police Officers, and their beneficiaries. The Fund is governed by a nine member Board of Trustees comprised of the following members: Mayor Edward D. Garza; Councilman Bobby Perez; Councilman David Carpenter; two active firefighters; two active police officers; a retiree representative of the Fire Department; and a retiree representative from the Police Department.

Historically, the City has provided certain administrative services to the Fund and accepted compensation at various levels commensurate with the level of service provided. These administrative services include items such as processing payrolls for both the Pension Office staff and retirees of the Fund, accounting for these payrolls, and preparation and filing of various Internal Revenue Service forms. These services and compensation were most recently formally outlined in an agreement approved by Ordinance No. 94614 on September 27, 2001. The term of the agreement was October 1, 2001 through September 30, 2003 with (2) two additional (1) one year administrative renewals with the City to receive compensation of \$24,000 annually.

This Ordinance proposes an amendment to the administrative services agreement related to administrative leave granted to active members of the Police and Fire Departments that serve on the Fund's Board of Trustees. As noted above, two active members of the Police and Fire Departments serve on the Board of Trustees. With the approval of the Police Chief and Fire Chief, the City currently grants administrative leave to these active members for necessary time off required for their roles as Board members.

While both the City and the Fund acknowledge no recent issues with respect to the granting of administrative leave to board members, this amendment is intended to merely formally recognize the current practice for granting leave in the administrative services agreement between the Fund and the City. The proposed amendment provides that the City will, "permit all active member trustees to use such administrative leave as necessary to attend to the affairs of the Fund in furtherance of the performance of their fiduciary duties". The process in place today will continue to include approval of administrative leave by the Police Chief and Fire Chief. All other terms and conditions of the agreement will remain the same.

#### **POLICY ANALYSIS**

The administrative services agreement is "administrative" in nature and is not intended to enlarge or limit any rights, duties or obligations of the City or the Fire and Police Pension Fund's Board of Trustees under any applicable law nor under the provisions of the collective bargaining agreements between the City and the bargaining agents of the fire fighters and police officers. It is also not intended to create any right or interest in any third party. The proposed amendment is intended to merely formally recognize the current practice for granting administrative leave to active board members in the administrative services agreement.

#### **FINANCIAL IMPACT**

This Ordinance is not anticipated to have a financial impact to the City as it formally recognizes the existing process for granting administrative leave to active board members.

#### **COORDINATION**

This item has been coordinated with the Police Department, Fire Department, and the City Attorney's Office.

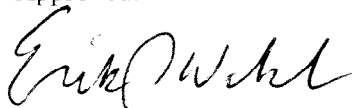
#### **SUPPLEMENTARY COMMENTS**

The requirements of the City's ethics ordinance are not applicable.

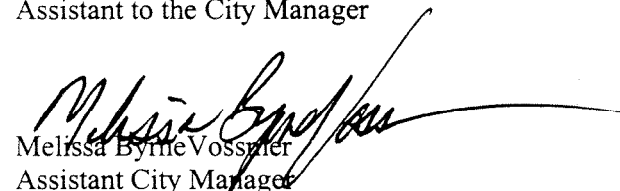


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Approved:



Erik J. Walsh  
Assistant to the City Manager



Melissa Byrne Vossler  
Assistant City Manager



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